

**MALEN & ASSOCIATES, P.C.**

ATTORNEYS AT LAW

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January 8, 2009

Honorable Stephen C. Robinson  
United States District Court  
for the Southern District of New York  
300 Quarropas Street, Room 633  
White Plains, NY 10601Re: Simmons v. Malen & Associates, p.c., et. al.  
Case No.: 08-6263

Dear Judge Robinson:

I am the attorney for the Defendant, Malen & Associates, p.c.. I am writing, with the consent of all parties to respectfully request an adjournment of the conference currently scheduled for January 29, 2009 at 4:00pm. A conference was originally scheduled for November 14, 2008 but was adjourned by the Court. As each of the Defendants have filed a motion to dismiss the complaint, it is respectfully requested that the conference be adjourned pending the outcome of Defendants' motions.

If there is any further information that you may require, please do not hesitate to contact me at your earliest convenience.

Very truly yours,  
Malen & Associates, p.c.By: \_\_\_\_\_  
Paul W. MahlerCc: Shmuel Klein, Esq.  
Linh K. Tran, Esq.

MEMO ENDORSED

APPLICATION GRANTED  
*Stephen C Robinson*  
HON. STEPHEN C. ROBINSON  
1/9/09